

UNITED STATES COURT OF APPEALS
FOR THE SIXTH CIRCUIT

Kelly L. Stephens
Clerk

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Filed: September 23, 2025

Mr. Kathryn E. Gilbert
Department of Justice
Civil Rights Division
601 D Street
Suite 5200
Washington, DC 20004

Re: Case No. 25-5853, *USA v. Emmitt Martin, III, et al*
Originating Case No. : 2:23-cr-20191

Dear Counsel,

This appeal has been docketed as case number **25-5853** with the caption that is enclosed on a separate page.

Even if the defendant filed the notice of appeal, Sixth Circuit Rule 12(c)(1) requires that counsel continue representation on appeal until specifically relieved by this Court. If a convicted defendant did not qualify to proceed in forma pauperis in the district court but appears to qualify on appeal, Sixth Circuit Rule 24 requires that "trial counsel must see that the defendant completes CJA Form 23 (for an incarcerated defendant) or Fed. R. App. P. Form 4 (for a defendant not incarcerated) and files it in the district court." Counsel's failure to act in this situation may result in adverse action from this court.

Before preparing any documents to be filed, counsel are strongly encouraged to read the Sixth Circuit Rules at www.ca6.uscourts.gov. If you have not established a PACER account and registered with this court as an ECF filer, you should do so immediately. Your password for district court filings will not work in the appellate ECF system.

At this stage of the appeal, the following forms should be downloaded from the website and filed with the Clerk's office by **October 7, 2025**. Additionally, the transcript order must be completed by that date. For further information and instructions on ordering transcript electronically, please visit the court's website.

Appellant: Appearance of Counsel
Application for Admission to 6th Circuit Bar (if applicable)

Appellee: Appearance of Counsel
Application for Admission to 6th Circuit Bar (if applicable)

More specific instructions are printed on each form. If the filing fee for the appeal is due because the appellant is not indigent, it must be paid to the District Court by **October 7, 2025**. These deadlines are important -- if the initial forms are not timely filed or the filing fee is due but not paid, the appeal will be dismissed for want of prosecution.

If you have questions after reviewing the forms and the rules, please contact the Clerk's office for assistance.

Sincerely yours,

s/Kelly Stephens
Appeal Case Manager: Ryan
Direct Dial No. 513-564-7079

cc: Mr. Blake D. Ballin
Mr. Stephen Ross Johnson
Mr. William D. Massey
Mr. John Keith Perry Jr.
Mr. Michael J. Stengel
Mr. Martin W. Zummach

Enclosure

OFFICIAL COURT OF APPEALS CAPTION FOR 25-5853

UNITED STATES OF AMERICA

Plaintiff - Appellant

v.

EMMITT MARTIN, III; TADARRIUS BEAN; DEMETRIUS HALEY; DESMOND MILLS,
JR.; JUSTIN SMITH

Defendants - Appellees